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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,220	12/20/2001	Suzanne Scott	1076.40948x00	4222

20457 7590 04/18/2005

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EXAMINER

DAO, MINH D

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/022,220	SCOTT, SUZANNE	
	Examiner	Art Unit	
	MINH D DAO	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2-11, 13-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al. (US 6,757,372) in view of Sudo (US 6,070,068).

Regarding claim 17, Dunlap teaches a mobile telecommunications device (see fig. 1B) including a display (see fig. 1B, display 112) and a control unit (see fig. 1B, Buttons 114, Keys 116 and 120; col. 5, lines 23-35) configured to show a list of pending calls on the display for multiple call handling simultaneously (see figs. 3A, 3B and 3C; col. 6, lines 1-11), the list includes at least two calls being selectable by a user (see fig. 3A), and upon selection of one of the at least two calls, the control unit displays a sub-menu listing call handling options specific to the selected call (see fig. 3C, Options Hold, Trsfr, EndCall, More; col. 6, lines 1-33). However, Dunlap fails to teach that the communications device is a mobile device. Sudo, in an analogous art, teaches a well known technique of implementing wireless communications using a portable telephone (see figs. 1 and 2, Portable Phone 1) which displays pending call on its display unit (see figs. 6A-F).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Sudo to Dunlap for the benefit of being able to wirelessly view and access current and incoming calls as taught by Sudo (col. 6, lines 6-13).

Regarding claim 2, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 17, wherein the list of options in a sub menu changes depending on the status of the selected call (see figs. 3B and 3C).

Regarding claim 3, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 17 wherein the list of options in a sub-menu changes depending on the status of the unselected pending calls (see figs. 3A and 3C).

Regarding claim 4, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 17, wherein the call selected from the menu is identified on the sub-menu adjacent the list of options associated with the selected call (see fig. 3C).

Regarding claims 5-6,11, the claims have the limitations as that of claim 17 and therefore are rejected for the same reason set forth in the rejection of claim 17.

Regarding claim 7, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 1, wherein the control unit includes a scroll key and an option key configured such that the user can highlight a pending call in the menu using the scroll key and select the highlighted call by pressing the option key (Reference Sudo, col. 5, lines 34-42; col. 6, lines 36-50).

Regarding claims 8-10, the claims have the limitations as that of claim 7 and therefore are rejected for the same reason set forth in the rejection of claim 7.

Regarding claim 18, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 17 comprising: a plurality of call handling keys; and wherein the call handling keys are operated to signal the control unit to select one of the at least two calls and thereafter to activate further actions to be taken by the control unit (Reference Sudo, col. 5, lines 34-42; col. 6, lines 36-50).

Regarding claim 19, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 18 wherein: one of the call handling keys is operated to end the selected one of the at least two calls (Reference Sudo, col. 5, lines 34-42; col. 6, lines 36-50).

Regarding claim 20, the claims have the limitations as that of claim 17 and therefore are rejected for the same reason set forth in the rejection of claim 17.

Regarding claims 13-16, the claims have the limitations as that of claim 20 and therefore are rejected for the same reason set forth in the rejection of claim 20.

Regarding claim 21, the claims have the limitations as that of claim 18 and therefore are rejected for the same reason set forth in the rejection of claim 18.

Regarding claim 22, the claims have the limitations as that of claim 18 and therefore are rejected for the same reason set forth in the rejection of claim 19.

Response to Arguments

2. Applicant's arguments filed on 12/09/2004 have been fully considered but they are not persuasive.

Regarding the argument on page 11, second paragraph, Applicant argues that Dunlap does not teach the claimed sub-menu. Examiner disagrees. Dunlap, according to fig. 3A, teaches a sub-menu (item 110, "your options for this call") listing call handling

options specific to the selected call. In addition, Applicant fails to disclose a specific structure of the sub-menu.

Regarding the argument on page 11, third paragraph, Applicant argues that Sudo displays pending calls but does not teach a sub-menu listing call handling options specific to the selected call. Examiner, in this case, only relies on Sudo for the teaching of a mobile phone that displays pending calls.

Conclusion


3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN C CHIN can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao 
Art Unit 2682
April 6, 2005


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600